

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>DATE FILED:</b> _____
	:	
<b>v.</b>	:	<b>CRIMINAL NO.:</b> _____
	:	
<b>DIJUAN SANDERS</b>	:	<b>VIOLATIONS:</b>
<b>DEXTER RANDOLPH</b>	:	
<b>ERIC WILLIS</b>	:	<b>18 U.S.C. § 1951 (conspiracy to interfere</b>
<b>LEROY SIMMONS</b>	:	<b>with interstate commerce by robbery - 1</b>
	:	<b>count)</b>
	:	
	:	<b>18 U.S.C. § 1951 (interference with</b>
	:	<b>interstate commerce by robbery - 1</b>
	:	<b>count)</b>
	:	
	:	<b>18 U.S.C. § 924(c) (carrying and</b>
	:	<b>using a firearm during and in relation to</b>
	:	<b>crime of violence - 1 count)</b>
	:	
	:	<b>18 U.S.C. § 922(g)(1) and 924(e) (felon in</b>
	:	<b>possession of a firearm)</b>
	:	
	:	<b>18 U.S.C. § 2</b>
	:	<b>(aiding and abetting)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. At all times relevant to this indictment, the U-Haul store located at 6141 Lancaster Avenue, Philadelphia, Pennsylvania (“the U-Haul store”) was engaged in interstate commerce.
2. On or about November 6, 2003, in the Eastern District of Pennsylvania,  
defendants

DIJUAN SANDERS  
DEXTER RANDOLPH

ERIC WILLIS  
and  
LEROY SIMMONS

conspired and agreed together, and with others known and unknown to the grand jury, to commit robbery, which robbery would unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, in that defendants DIJUAN SANDERS DEXTER RANDOLPH, ERIC WILLIS and LEROY SIMMONS conspired to unlawfully take and obtain money from employees of the U-Haul store against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, all in violation of Title 18, United States Code, Sections 1951(a), 1951(b)(1) and 1951(b)(3).

**MANNER AND MEANS**

It was part of this conspiracy that defendants DIJUAN SANDERS, DEXTER RANDOLPH, ERIC WILLIS, and LEROY SIMMONS armed themselves, concealed their identities, and attempted to rob approximately \$405 from employees of the U-Haul store.

**OVERT ACTS**

In furtherance of the conspiracy and to effect the objects of the conspiracy, defendants DIJUAN SANDERS, DEXTER RANDOLPH, ERIC WILLIS, and LEROY SIMMONS committed the following overt acts, among others, in the Eastern District of Pennsylvania, on or about November 6, 2003:

1. The defendants armed themselves with a sawed-off shotgun and a .22 caliber semiautomatic pistol.
2. The defendants drove together to the U-Haul store in two cars.
3. The defendants put on masks and other items to conceal their identities.

4. The defendants entered the U-Haul store brandishing guns.

5. At gunpoint, the defendants threatened to kill one U-Haul employee, and struck one employee in the face and one in the back.

6. While inside the U-Haul store, the defendants stole approximately \$405 in cash that had been placed in a plastic bag by U-Haul employees in preparation for deposit.

All in violation of Title 18, United States Code, Section 1951(a).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraph 1 of Count One of this indictment is incorporated here.
2. On or about November 6, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

**DIJUAN SANDERS  
DEXTER RANDOLPH  
ERIC WILLIS,  
and  
LEROY SIMMONS**

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendants **DIJUAN SANDERS, DEXTER RANDOLPH, ERIC WILLIS, and LEROY SIMMONS** unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, cash from the U-Haul store, 6141 Lancaster Avenue, Philadelphia, Pennsylvania, in the presence of employees of the U-Haul store and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employees of the U-Haul store, that is, by brandishing guns, demanding money, striking one employee in the face and one in the back, and threatening employees of the U-Haul store.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES:**

1. Paragraph 1 of Count One is incorporated here.
2. On or about November 6, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

**DIJUAN SANDERS  
DEXTER RANDOLPH  
ERIC WILLIS  
and  
LEROY SIMMONS**

knowingly used and carried, and aided and abetted the use and carrying of, a firearm, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with commerce by robbery, and interference with commerce by robbery, in violation of Title 18, United States Code, Sections 1951(a) and 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about November 6, 2003, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**LEROY SIMMONS,**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a Harrington & Richardson 12 gauge sawed-off shotgun, model number 088, serial number AZ518552, loaded with 1 live round of ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

### NOTICE OF PRIOR CONVICTIONS

Defendant LEROY SIMMONS committed the offense charged in Count 4 of this indictment after having been convicted in courts of the Commonwealth of Pennsylvania of four violent felony and serious drug offenses, as follows:

1. Indecent assault - Delaware County Court of Common Pleas number 7057-96 - June 16, 1997.
2. Escape - Delaware County Court of Common Pleas number 6877-96 - June 16, 1997.
3. Possession of a controlled substance with intent to distribute - Delaware County Court of Common Pleas number 1278-00 - July 24, 2000.
4. Indecent assault - Delaware County Court of Common Pleas, number 815-01 - February 4, 2002.

In violation of Title 18, United States Code, Section 924(e).

**NOTICE OF FORFEITURE**

\_\_\_\_\_1. As a result of the violations of Title 18, United States Code, Section 924(c) and 9222(g)(1) set forth in Counts Three and Four of this indictment, defendants

**DIJUAN SANDERS  
DEXTER RANDOLPH  
ERIC WILLIS  
and  
LEROY SIMMONS**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including, but not limited to:

- (1) one Harrington & Richardson 12 gauge sawed-off shotgun, model number 088, serial number AZ518552, and one live round of ammunition; and
- (2) one Astra .22 caliber handgun, serial number 246025, and three live rounds of ammunition.

All pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

**A TRUE BILL:**

\_\_\_\_\_  
**FOREPERSON**

\_\_\_\_\_  
**PATRICK L. MEEHAN  
UNITED STATES ATTORNEY**